

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CALEB L. MCGILLVARY,

Plaintiff,

vs.

NICHOLAS SCUTARI, et al.,

Defendants.

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No. 23-cv-22605-JMY

ORDER

AND NOW, this 23rd day of July 2025, upon consideration of the *Motion for Extension of Time to File Opening Brief (Fed. R. App. 25(b))* (ECF No. 367) filed by Plaintiff Caleb L. McGillvary, it is hereby **ORDERED** that Plaintiff's Motion will be **DENIED** without prejudice to Plaintiff's ability to petition the Third Circuit Court of Appeals for an extension of case management deadlines.¹

Plaintiff McGillvary is **ORDERED** to make no further filings in this action which has been marked closed on appeal with the exception that Plaintiff will be permitted to file a notice of appeal from this Order. Therefore, the Clerk of Court is **DIRECTED** not to accept any further pleadings from Plaintiff McGillvary under this case caption – other than a notice of appeal – because Plaintiff McGillvary is enjoined from filing documents or things under the above case caption until such time as the Court lifts the injunction.

Plaintiff McGillvary is reminded that the filing fee for this action is \$402, comprised of the \$350 filing fee plus a \$52 administrative fee, as stated by the Court in its Order that granted

¹ Currently before the Court is a motion filed by Plaintiff McGillvary in which he seeks to extend time for filing appellate briefs in the Third Circuit Court of Appeals. The District Court does not have jurisdiction or authority to extend case management deadlines established by the appellate court on appeal.

Plaintiff McGillvary *in forma pauperis* status. (*Order* ¶ 2, ECF No. 9.) The Clerk of Court is **DIRECTED** to contact the Superintendent/Warden of the New Jersey State Prison and begin to arrange to withdraw filing and administrative fees from Plaintiff McGillvary's inmate account in accordance with Court Order. (*Order* ¶ 2, ECF No. 9.)

The Clerk of Court is **DIRECTED** to **IMMEDIATELY TRANSMIT** (mail) copies of this Order to *pro se* Plaintiff at the mailing address that he has identified on the docket for service of court papers.

BY THE COURT:

/s/ John Milton Younge
Judge John Milton Younge